

December 2, 2019

<https://foiaonline.gov/foiaonline/action/public/request>

ATTN: Regional Freedom of Information Officer
Freedom of Information Office
US Environmental Protection Agency
Region 4 - Southeast
AFC Bldg, 61 Forsyth Street, SW 9th Floor (4PM/IF)
Atlanta, GA 30303-8960
Timothy R. Epp, National FOIA Office
202-566-1667
hq.foia@epa.gov

**Re: Freedom of Information Act (FOIA) Request re: Twin Pines Minerals, LLC –
Forwarded to you by Terry G. Peters, US Corps of Engineers District Counsel
Related Documents Requested**

Dear Freedom of Information Officer:

I received your hard copy response dated 11/22/19 by US mail just after my FOIA request dated November 29, 2019, related to the November 8, 2019 FOIA response to me from Terry G. Peters, US Corps of Engineers District Counsel, was submitted online. Thank you for that response. Your response included a two-page cover letter and 11 pages of emails, in response to the next to last paragraph on the second page of the Corps response letter to me that stated:

You should be advised that portions of the records were redacted and marked as referred to “EPA,” U.S. Environmental Protection Agency, Region 4, and “FWS”, U.S. Fish and Wildlife Service, Region 4. Because these portions of the records originated with EPA and FWS, they were referred to these agencies for a release determination and direct response to you. Further inquiries concerning the EPA portions should be directed to Regional Freedom of Information Officer, U.S. EPA, Region 4, AFC Bldg, 61 Forsyth Street., S.W., 9th Floor (4PM/IF), Atlanta, GA 30303-8960, (404) 562-9891. Inquiries concerning the FWS portions should be directed to U.S. Fish and Wildlife Service, FOIA Coordinator, 1875 Century Boulevard, Atlanta, GA 30345, (404) 679- 4104, foiar4@fws.gov.

DOCUMENTS REFERENCED IN FOIA RESPONSE, BUT NOT PROVIDED

Included in your response was a copy of the 6/6/19 email from Eric Sommerville (EPA) to Holly Ross (Corps), and Shaun Blocker (Corps). That email included the following statement (emphasis added in bold):

Shortly before I left for vacation on May 21, I received an email from Michael Lusk, USFWS Okefenokee NWR, who said that Twin Pines was planning to

submit a CWA 404 permit application by mid-June and hold a public mtg in Folkston on June 18th. Do you have any knowledge of this? Other than a few informal discussions I have had with Jared periodically over the last 6 months or so, **I have not heard anything specific or formal about this project from either the applicant or the Corps since I submitted comments on the applicant's "Phase I Work Plan - Piezometer Installation & Drilling of Exploratory Borings" on September 5, 2018 (attached here for your reference)....**

The documents you provided did not include a copy of Mr. Sommerville's comments or a copy of the referenced **"Phase I Work Plan - Piezometer Installation & Drilling of Exploratory Borings"** that was the basis of those comments. **Please provide a copy of those comments by Mr. Sommerville and a copy of the Phase I Work Plan.**

Please also provide a copy of the original email dated July 16, 2019 8:30 AM from Eric Somerville to Holly Ross, including any and all photographs attached (e.g., photographs depicting ditches).

Please also provide a copy of the original email dated June 6, 2019 11:32 AM from Eric Somerville to Holly Ross, copied to Shaun Blocker, including any and all documents attached (e.g., the "attached here for your reference") clarifying if that referenced Mr. Somerville's comments or the Phase I Work Plan).

NEPA-RELATED DOCUMENTS FOR THE PROPOSED TWIN PINES MINERALS, LLC TITANIUM MINING PROJECT IN GEORGIA

Those 11-pages of emails included emails to and from Jamie Higgins (EPA). One of those emails states, "I am the lead NEPA reviewer for most Savannah District, USACE NEPA documents." **Please provide a copy of all of the NEPA-related documents for the proposed Twin Pines Minerals, LLC Titanium Mining Project in Georgia.**

The documents referenced above and described in my original FOIA request were requested under the provisions of **5 USC 552**, the Freedom of Information Act. I am aware that fees may be charged for search, review, and/or duplication of the record requested. If fees are required to provide the requested information, I am willing to pay a reasonable fee to obtain this information. The Act, however, allows fee waivers to be granted when disclosure of the records is in the public interest and is likely to contribute to public understanding of the operations or activities of the government.

I am an individual, not a commercial organization. I am making this request as an individual engaged in public education regarding the regulatory history of this on-going Trailridge mining. The disclosure of the requested record is in the public interest because it: a) is likely to contribute significantly to public understanding of the operations or activities of the government, and b) is not primarily in any commercial interest. Therefore, I am requesting a waiver of fees associated with the requested document.

It is my understanding that some or all of the records, documents, and information requested may be available in electronic form, thereby avoiding or reducing page costs. If some or all of the requested information is available in electronic form (including excel spread sheet and GIS format), please provide this information via my e-mail provided below, If the file size is too large to provide by email, please provide that email on a CD, to the address provided below. If some or all of the requested information is available on line, please forward the web address for that information via my e-mail provided below. Hard copies of the remaining information can be mailed to me at my address below.

If some of the requested information will require more than 14 days to compile, please forward the more readily available information first, while the remaining information is being compiled. If you have any questions regarding this request, please contact me at the email address provided below.

Sincerely,

Carol Burton
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Lake Butler, FL 32054
gatorburton1@gmail.com